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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/041,139
Filing Date	January 7, 2002
First Named Inventor	Robert Matousek
Art Unit	3671
Examiner Name	Arpad F. Kovacs
Attorney Docket Number	12609

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
ii. Other Copy of previous Submission enclosed

b. Enclosed

i. Amendment/Reply iii. Information Disclosure Statement (IDS)
ii. Affidavit(s)/Declaration(s) iv. Other _____

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
b. Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to

Deposit Account No. 03-1025

i. RCE fee required under 37 CFR 1.17(e) 05/20/2004 MGEBREM1 00000067 10041139
ii. Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 DA
iii. Other _____

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Brant T. Maurer	Registration No. (Attorney / Agent)	53,285
Signature	<u>Brant T. Maurer</u>	Date	April 23, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Brant T. Maurer
Signature	<u>Brant T. Maurer</u>

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



TRANSMITTAL FORM

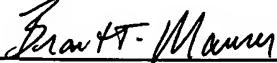
(to be used for all correspondence after initial filing)

		Application Number	10/041,139
		Filing Date	January 7, 2002
		First Named Inventor	Robert Matousek
		Art Unit	3671
		Examiner Name	Arpad F. Kovacs
Total Number of Pages in This Submission	12	Attorney Docket Number	12609

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
<p>- Request for Continued Examination - March 26, 2004 Amendment Under 37 CFR 1.116 After Final (not entered), which serves as a "Submission" accompanying the Request for Continued Examination</p>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	CNH America LLC Brant T. Maurer	
Signature		
Date	April 23, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Typed or printed name	Brant T. Maurer		
Signature		Date	April 23, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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O P E J C
M A Y 1 9 2004
P A T E N T & T R A D E M A R K O F F I C E

FEET TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	10/041,139
Filing Date	January 7, 2002
First Named Inventor	Robert Matousek
Examiner Name	Arpad F. Kovacs
Art Unit	3671
Attorney Docket No.	12609

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None
 Deposit Account:Deposit Account Number **03-1025**Deposit Account Name **CNH America LLC**

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments Charge any additional fee(s) or any underpayment of fee(s) Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity | Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non - English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	770.00
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

SUBTOTAL (2) (\$)

\$0.00

**or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

\$770.00

SUBMITTED BY

Complete (if applicable)

Name	Brant T. Maurer	Registration No. (Attorney/Agent)	53,285	Telephon	262-636-5368
Signature	<i>Brant T. Maurer</i>		Date	April 23, 2004	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT: 3671

EXAMINER: ARPAD F. KOVACS

In re application of:)
Robert Matousek et al.)
)
Application No: 10/041,139)
)
Filed: January 7, 2002)
)
Confirmation No. 4030)
)
Attorney Docket No.: 12609)
)
)
For: APPARATUS AND METHOD
FOR INSTALLING AND
REMOVING A HARVESTING
COMBINE ROTOR

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 18, 2004

RESUBMISSION OF REQUEST FOR CONTINUED EXAMINATION
TRANSMITTED VIA FACSIMILE ON APRIL 23, 2004

Dear Sir:

In response to the Advisory Action mailed April 14, 2004, Applicants transmitted via facsimile a Request for Continued Examination ("RCE") to the U.S. Patent and Trademark Office ("USPTO"). The RCE included a Transmittal Form; a Fee Transmittal; a Request for Continued Examination Transmittal; and a Copy of a March 26, 2004 "Submission" under 37 C.F.R. 1.114.

Immediately after facsimile transmission, Applicants received a “Send Successful” transmission notification and a USPTO “Auto-Reply Facsimile Transmission” indicating receipt confirmation of the facsimile transmission received by the Office. However, on May 3, 2004, the USPTO mailed yet another Advisory Action, identical to the one mailed April 14, 2004. In response, the Applicants contacted Examiner Kovacs to inquire about the duplicate Advisory Action, especially in light of Applicants’ April 23, 2004 RCE. The Examiner indicated that the USPTO did not trigger further examination under the RCE, possibly because the USPTO had misplaced the April 23, 2004 Request for Continued Examination Transmittal.

Accordingly, Applicants hereby resubmit a true copy of the April 23, 2004 Transmittal Form; Fee Transmittal; Request for Continued Examination Transmittal; and Copy of a March 26, 2004 “Submission” under 37 C.F.R. 1.114. Also included in the submission is the April 23, 2004 “Send Successful” transmission notification and USPTO “Auto-Reply Facsimile Transmission” indicating receipt confirmation of the facsimile transmission received by the Office.

Per the April 23, 2004 RCE request, it is believed that \$770.00 is owed to the USPTO at this time; it is not believed any Extension Fee is owed because the April 23, 2004 transmission was timely filed prior to the April 28, 2004 non-fee response deadline. However, the USPTO is authorized to charge any additional fee required to secure entry of this RCE, or to credit any overpayment, to Deposit Account No. 03-1025.

In summary, please accept Applicants' RCE of April 23, 2004. It is believed that Claims 1-14 are patentable and in condition for allowance. Therefore, favorable reconsideration of the application upon continued examination is respectfully requested. Should the Examiner believe that the prosecution of the application could be so expedited, he is requested to call Applicants' undersigned Attorney at the number listed below.

Respectfully submitted:

BY 

Brant T. Maurer
Attorney for Applicants
Registration No. 53,285

CNH America LLC
Intellectual Property Law Dept.
700 State Street
Racine, Wisconsin 53404
(262) 636-5368
Customer No. 28813



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

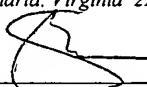
Application of : Examiner: Arpad F. Kovacs
Robert A. Matousek : Group Art Unit 3671
Serial No.: 10/041,139 :
Filed: January 7, 2002 :
For: APPARATUS AND METHOD FOR :
INSTALLING AND REMOVING A :
HARVESTING COMBINE ROTOR :
:

Last Office Action dated January 28, 2004

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this AMENDMENT (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-14501 on March 26, 2004.



Stephen R. Matthews.
Reg. No. 34,384
611 Olive Street, Suite 1610
St. Louis, Missouri 63101

AMENDMENT UNDER 37 CFR 1.116

SIR:

In response to the Final Office Action dated January 28, 2004, Applicant proposes to amend the above-identified patent application as follows: